



**MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF COMMISSIONERS  
FOR THE  
COUNTY OF LEE, STATE OF NORTH CAROLINA**

**APRIL 18, 2006**

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were W. Chad Adams, Robert H. Brown, Herbert A. Hincks, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, and Amy L. Stevens.

Chairman Hincks presided and the following business was transacted:

Rev. Don Daniel, Pastor of Cornerstone Baptist Church delivered the invocation.

Chairman Hincks led the pledge of allegiance.

The following new employees were introduced by department heads:

Ms. Lisa Whitaker, Social Services  
Mr. Scott Brummond, Social Services  
Ms. Iris Nazario-Dzadul, Health Department

Chairman Hincks asked that the Board consider a revised Lease Agreement with the City of Sanford for the Steele Street Parking Lot. County Attorney K. R. Hoyle told the Board that minor revisions had been made to the Lease Agreement after agenda packages were distributed. Mr. Hoyle briefly outlined the revisions to the Board and answered questions. Commissioner Adams moved to approve the agenda as presented. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered consent agenda items. Commissioner Adams moved to approve the consent agenda as printed which consisted of the following items:

- Minutes of the March 20, 2006 Regular Meeting
- Minutes of the March 29, 2006 CIP Work Session
- Records Retention and Disposition Schedule for Register of Deeds (copy attached)
- Resolution for application with the Rural Center for Challenge Printing (copy attached)
- Tax Releases and Refunds for March 2006 (copy attached)
- Recognition of Sanford Civitan Club for construction of a handicap ramp at the gymnastics building
- Acceptance of \$3,500 memorial gift in memory of Joshua Mann
- Budget amendment # 04/18/06/#18 (copy attached)
- Public School Building Capital Fund application (copy attached)
- Resolution designating Tax Administrator, County Attorney, and Clerk to the Board to report to the County Manager (copy attached)
- Deed and Lease Agreement between the County of Lee and City of Sanford for the Steele Street Parking Lot (copy attached)
- Resolution of appreciation for Ms. Patsy Rogers who will retire April 28, 2006 (copy attached)
- Robert E. Lee Society request to fly a replica of Lee's Headquarters flag at the Lee County Courthouse on May 10, 2006, for Confederate Memorial Day

Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens

Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Brown read and presented the Resolution of Appreciation to Ms. Patsy Rogers who will be retiring from Lee County on April 28, 2006, with 38 years of service.

No one signed up to speak during the Public Comments section of the meeting.

Tax Administrator Kep Kepley gave the Board an update on the 2007 Revaluation Project. Mr. Kepley stated that everything is going well and it has been a very good month. He stated that all industrial commercial property has been completed. Commissioner Reives stated that he had received several calls in reference to how fences on property would be valued. Mr. Kepley stated that Assessment Solutions, Inc. will present the Board with a Schedule of Values for approval at a later time that will address the fence issue. No action was taken.

Mr. Tim Cain, Project Director with Assessment Solutions addressed the Board and stated that his department is 60% complete with their work at this time. He stated that "land pricing" will begin this weekend and his first official report will be presented to the Commissioners at their second meeting in May. Sales tax ratio numbers were briefly discussed. No action was taken.

Ms. Lesa Price, Strategic Initiatives Director told the Commissioners that Ms. Jean Brown, Library Technician with the Lee County Library, had been selected by the Employee Selection Committee as the April 2006 Employee of the Month. Chairman Hincks presented Ms. Brown her awards which included a day off with pay, a star award, a framed certificate, a pizza from Papa Johns' Pizza, Coca Cola products from Sanford Coca Cola, and a movie rental from Movie Gallery. Ms. Brown will be considered for the Employee of the Year Award in December.

Mr. Mike Watson, Executive Director from Sandhills Mental Health discussed their FY 2006 budget request from Lee County. Mr. Watson stated that Lee County's budget request would remain the same as last years request, with no increase in funding requested. Mr. Watson was questioned as to why Lee County's per capita cost is so high in comparison to other counties. Commissioner Adams asked for a breakdown of what all counties contribute and a list of in-kind contributions that Lee County makes compared to other counties. Mr. Watson was asked to furnish a resolution for a schedule of need for the Board to consider. It was further stated that an outside vendor, Value Options, will begin handling all utilization reviews, and local Mental Health agencies have lost local control on what Medicaid services are provided. Mr. Watson further stated that it is now a struggle to keep clinics open. The General Assembly will be looking at funding increases this year. No action was taken.

Commissioner Lemmond introduced Ms. Lyn Hankins, Director of the Lee County Partnership for Children. Ms. Hankins joined the Partnership as Director on October 1, 2005, coming to Lee County from the Cumberland County Partnership for Children. Ms. Hankins shared information concerning the local Smart Start agency and discussed some of the past audit difficulties the organization has faced. Ms. Hankins discussed the More at Four Program which currently serves 130 pre-kindergarten children. She asked that the Board encourage local Legislative delegates to continue funding for the Lee County Partnership for Children. No action was taken.

The Board considered a request from American Lifestyle Media to use the Lee County logo. Mr. Norm Allen, President of American Lifestyle Media told the Board that he would like to join with the Centennial Committee to produce a two-hour video on the history of Lee County. In order to pay for the video, license plates will be sold for \$20.00 beginning at the end of 2006 and continuing through the end of 2007. The Lee County logo will be placed in the center of the license plate. Mr. Allen stated that all proceeds from the plate sales will go back to the Centennial Committee. County Attorney K. R. Hoyle stated that he wished to get an opinion from the School of Government as to whether the logo could be used for such a purpose. Chairman Hincks moved to approve the use of the Lee County logo, pending a response from the School of Government. After further discussion, Commissioner Reives moved to table the matter until the May 1, 2006 meeting. Upon a vote of the tabled motion, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Mr. Allen was asked to submit another request to the Board with a more detailed explanation as to his use for the Lee County logo.

The Board considered a recommendation from the Lee County Planning Board concerning a rezoning petition by Mr. Darryl Jones to rezone from Residential Agricultural district to a Conditional Zoning district to be known as the "Lee County Mud Motorsports Complex District". Assistant Community Development Director Marshall Downey told the Board that no opposition was heard when the joint public hearing was held on March 24, 2006. Mr. Downey stated that the Planning Board approved the rezoning request to rezone the 15.96 acre tract of land on Lower River Road with the following conditions being placed on the conditional zoning district:

1. There shall be no practice for hire; and
2. There shall be no more than twelve (12) events per calendar year with a maximum of 2 events per month

Commissioner Adams moved to approve the recommendation of the Planning Board. After further discussion, Chairman Hincks amended the motion to accept the Planning Board's recommendation but delete the condition stating there shall be no more than twelve (12) events per calendar year with a maximum of 2 events per month. A copy of the *Ordinance Amending the Official Zoning Map of Lee County* is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Reives  
Nay: Stevens

The Chairman ruled the motion had been adopted by a six to one vote.

The Board conducted a public hearing that had been advertised for this date and time concerning the 2006-07 Rural Operating Assistance Program Transportation Grant Application. Ms. Melanie Rodgers from Senior Services told the Board that the public hearing had been advertised concerning an application to the North Carolina Department of Transportation by the County of Lee Transit System. Ms. Rodgers outlined the following funding allocations which will require no matching funds:

- Elderly and Disabled Transportation Assistance - \$45,390.00
- Work First - \$5,485.00
- Rural General Public - \$48,032.00

Chairman Hincks opened the public hearing.

No one present spoke in favor of or in opposition to the grant application.

Chairman Hincks closed the public hearing.

Commissioner Stevens moved to approve the Rural Operating Assistance Program Transportation Grant Application for 2006-07 as presented. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens

Nay: None

The Chairman ruled the motion had been adopted unanimously.

Economic Development Director Bob Heuts presented to the Board a report on the "Health of Lee County". Mr. Heuts stated that he had presented this report for the past three years - only for informational purposes –not for advertisement. The report outlines how Lee County is doing as it relates to labor, the economy, education, quality of life, demographics, population, per capita income, and unemployment rates, to name a few. One section of the report addresses the crime rate for Lee County. Commissioner Reives asked how and where this information is received, and stated that the Sheriff and Chief of Police should be involved where these numbers are concerned in order for them to verify statistics. Commissioner Stevens, who sits on the Lee County Board of Health, stated that the Health Department compiles these crime rate figures and she will furnish a copy of that report for the Board's review. No action was taken.

The Board considered an amendment to the Lee County Solid Waste Ordinance. County Attorney K. R. Hoyle told the Board that when the Lee County Solid Waste Ordinance was adopted in 1994 it only considered the construction debris and landfill operated by the County. Since the County has learned of the prospect of a land clearing and inert debris landfill being built, he advises that the Lee County Solid Waste Ordinance be amended to cover other types of landfills. Mr. Hoyle, along with Solid Waste Superintendent Joe Cherry, has reviewed the Ordinance and feels that the amended Ordinance will bring Lee County up to date on all issues. After some discussion, Commissioner Paschal moved to approve the *Amendment to the Ordinance for the Management of Solid Waste in the Unincorporated Areas of Lee County*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens

Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board heard a report from Strategic Initiatives Director Lesa Price pertaining to alternative revenue options for Lee County. Ms. Price told the Board that the Liaison Committee which is made up of herself, Commissioners Brown and Stevens, and County Manager David Smitherman, had recently met to discuss alternative revenue options available to local governments in North Carolina. The Committee discussed such options as land transfer tax, impact tax/fee, adequate public facilities fee, occupancy tax, local option sales tax, prepared meals tax, and local option income tax. The Committee is asking for input and direction from the Board on pursuing alternative

revenue options for Lee County other than only using local property taxes. After some discussion, it was agreed that the Legislative Committee would pursue all revenue options presented except the local option income tax.

At this time Chairman Hincks called for a ten minute recess.

After returning from recess, with all Commissioners present, Chairman Hincks called the meeting back to order.

County Manager David Smitherman discussed with the Board a resolution adopting the five-year Capital Improvement Program (CIP) for FY 2006-2011 that sets a tentative list of projects the County plans to fund. A public hearing was held on March 29, 2006, to hear comments from the public concerning the proposed CIP. Mr. Smitherman addressed the proposed adopted CIP projects as directed by the Board at their April 13<sup>th</sup> work session, which include the following:

• Lee County Administrative Building	\$ 6,500,000
• New Middle School	\$17,500,000
• Floyd Knight Gym/Therapy Room	\$ 1,500,000
• Main Classroom Renovations for CCCC	\$ 850,000
• Main Campus Renovations & Repairs for CCCC	\$ 1,288,165
• Tramway Road Park	\$ 1,197,150

Projects proposed for FY 2006-07 total \$28,835,315. After some discussion, Commissioner Brown moved to approve the Resolution Adopting the Lee County Capital Improvements Program (CIP) for FY 2006-2007 through 2010-2011 which will incorporate the projects outlined that are greater than \$500,000 and less than \$500,000, copies of which are attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board reviewed the Monthly Financial Report for March 2006.

County Manager David Smitherman told Board members that a tour of the Buggy Factory and old Koury Building, which are both located on Chatham Street, had been scheduled for 8:30 a.m., Friday April 21, 2006. All members are asked to meet at the Lee County Government Center by 8:30 so the tour can begin on schedule.

With no further business to come before the Board, Commissioner Paschal moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

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Herbert A. Hincks, Chairman

ATTEST:

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Gaynell M. Lee, Clerk